



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

June 25, 2021

BY ECF

MEMO ENDORSED

Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Oakes v. Dep't of Defense*, 20 Civ. 7591 (SHS)

Dear Judge Stein:

This Office represents the Department of Defense ("DOD") in the above-captioned action, which Plaintiff brings pursuant to the Freedom of Information Act ("FOIA"). I write on behalf of both parties to provide the Court with a status update, as required by the Court's May 27, 2021, order, and in advance of the status conference currently scheduled for June 30, 2021. See Dkt. Nos. 15, 17 ("Order"). For the reasons discussed herein, the parties respectfully request that the Court adjourn the status conference until the week of August 2, and that the parties provide a status update to the Court by July 30, 2021.

By way of background, Plaintiff submitted five FOIA requests to DOD in the fall of 2019 seeking, generally, contracts (and documents related to those contracts) that DOD entered into with multiple private companies. On December 10, 2020, the Court held an initial conference in this action. Pursuant to the Order issued thereafter, DOD was ordered to make rolling productions to Plaintiff on February 15, 2021, March 15, 2021, April 15, 2021, and May 17, 2021. DOD has made each of these productions.

Now that productions have been completed, the parties are conferring in order to determine if they can resolve several outstanding issues consensually without the need for summary judgment motion practice. Since the parties' last status update to the Court on May 27, the parties have continued to confer and have narrowed the scope of the dispute between them to three principle issues. However, one of these issues may require Defendant to contact an independent, non-government, third party and seek information from it. Accordingly, the parties respectfully request an additional thirty days to determine if they can resolve this matter without the need for motion practice.

Therefore, the parties respectfully request that they be permitted to provide a further status update to the Court by July 30, 2021, and that the Court adjourn the status conference until

the week of August 2. At present, the parties are available August 2, August 3 (after 12:00 p.m.), August 4, and August 5. The parties thank the Court for its consideration of these matters.

Sincerely,

AUDREY STRAUSS
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The next status report is due by July 30, 2021. The status conference is adjourned to August 4, 2021, at 10:00 a.m.

**Dated: New York, New York
June 28, 2021**

SO ORDERED:



Sidney H. Stein, U.S.D.J.